

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 16, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-13991 - APPLICANT: HABITAT FOR HUMANITY -
OWNER: DECATUR SHOPPING CENTER ASSOCIATION**

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for Thriftshop, Non-Profit use.
2. Approval of and conformance to the Conditions of Approval for Variance (VAR-4340) shall be required.
3. A total of 12 handicap accessible spaces shall be provided in conformance with Title 19.10 standards.
4. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a Special Use Permit for a Thriftshop, non-profit at 1401 North Decatur Boulevard.

EXECUTIVE SUMMARY

As this thriftshop will occupy a space previously used for another thriftshop, the proposal will have no negative effect on the area. All conditions applicable to this use are met and the site has adequate parking per a previous Variance (VAR-4340). As such, Staff supports the request.

BACKGROUND INFORMATION

A) Related Actions

- | | |
|----------|--|
| 09/04/02 | The City Council approved a request for a Special Use Permit (U-0086-02) to allow a banquet facility on property located at 1401 North Decatur Boulevard Suite #13. The Planning Commission and staff recommended approval of this request. |
| 07/07/04 | The City Council approved a request for a Special Use Permit (SUP-4168) for a 13,500 square-foot Non-profit Thrift Shop located at 1401 North Decatur Boulevard, Suite #34. The Planning Commission and staff recommended approval of this request. |
| 10/06/04 | The City Council approved a Required Two-Year Review (RQR-5009) of an approved Special Use Permit (U-0086-02) for a Banquet Facility at 1401 North Decatur Boulevard, Suite 13. Staff recommended approval of this request. |
| 12/15/04 | The City Council approved a request for a Variance (VAR-4340) to allow 276 parking spaces where 635 parking spaces are required for an existing shopping center located at 1401 North Decatur Boulevard. The Planning Commission and staff recommended approval of this request. |

07/13/06 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #58/stf).

B) Pre-Application Meeting

05/16/06 A pre-application meeting with the applicant was held and the following items were discussed:

- Staff informed the applicant that a parking analysis would be required that vacant suites should be calculated as retail.
- Staff informed the applicant that all materials are to be stored indoors.

C) Neighborhood Meetings

A neighborhood meeting is not required as part of this application request, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 5.88

B) Existing Land Use

Subject Property: Commercial Center
North: Vacant
South: Multi-Family
East: City Park
West: Proposed Multi-Family Residential

C) Planned Land Use

Subject Property: SC (Service Commercial)
North: SC (Service Commercial)
South: M (Medium Density Residential); SC (Service Commercial)
East: PR-OS (Parks/Recreation/Open Space)
West: M (Medium Density Residential)

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: C-1 (Limited Commercial)
South: R-3 (Medium Density Residential); C-1 (Limited Commercial)
East: C-V (Civic)
West: R-3 (Medium Density Residential)

E) General Plan Compliance

The subject property has a land use designation of SC (Service Commercial) and an underlying zoning of C-1 (Limited Commercial). Both categories allow for a variety of commercial uses that primarily serve local area patrons. These designations are in compliance with each other.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan	X	
Redevelopment Plan Area	X	
Special Overlay District	X	
Airport Overlay District	X	
Trails		X
Rural Preservation Overlay District		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

Redevelopment Plan Area

The subject property is located in the Redevelopment Plan Area, so designated in 1996. No additional development standards are placed on the property as a result of this designation. Rather, this area has been identified as an area in need of revitalization efforts.

Airport Overlay District

The subject property is located in the North Las Vegas Airport Overlay District which restricts the height of buildings to 105 feet. The subject proposal will be located in an existing structure that is well under this maximum height.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Retail	44,085 SF.	1 Space / 250 SF GFA	177			

Church / House of Worship	20,906 SF.	1 Space / 100 SF GFA	210			
Office	7,550 SF.	1 Space / 300 SF GFA	26			
Restaurant / Tavern	6,224 SF.	1 Space / 50 SF Public Waiting and Seating Area	42			
		1 Space / 200 SF Remaining GFA	21			
Banquet Facility	4,675 SF.	1 Space / 90 SF GFA	52			
Thrift Shop, Non-Profit	13,500 SF.	1 Space / 250 SF GFA	54			
TOTAL			582 (including handicap)	12	267 (including handicap)	3

Per a previous Variance (VAR-4340), the subject site is allowed to provide 267 spaces where 635 are required. As the current number of required spaces is 582 and 267 are provided, the subject proposal meets current parking standards. However, the site was approved with 13 handicap spaces per the aforementioned variance but now only contains three. A condition has been added above that requires the addition of 9 spaces to meet current Title 19.10 parking standards.

B) General Analysis and Discussion

- Zoning**

Thriftshops, Non-Profit, are allowed in a C-1 (Limited Commercial) zone with the approval of a Special Use Permit, provided that the conditions listed below are met. The proposed use will locate within an existing commercial center and is appropriate for the area based on current Title19 standards.

- Use

A Thriftshop, Non-Profit owned by a religious group previously occupied the subject tenant space. The new use will also support a humanitarian group (Habitat for Humanity) and will not change the character of the center.

- Conditions

1. No outdoor display, sales or storage of any merchandise shall be permitted.
2. The use shall comply with the applicable requirements of Title 6 of the Las Vegas Municipal Code.

FINDINGS

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

1. **“The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.”**

The proposed use will simply replace a thriftshop, non-profit that is no longer in operation with another use of the same type. As such, it is compatible with surrounding land uses and with uses project by the General Plan.

2. **“The subject site is physically suitable for the type and intensity of land use proposed.”**

With the parking variance in place, the subject site is capable of accommodating the proposed use.

3. **“Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.”**

The site is served by Decatur Boulevard (a 100-foot primary arterial). This right-of-way is more than adequate to meet the requirements of the proposed use.

4. **“Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.”**

Approval of this request will not, in any way, compromise the public health, safety or general welfare and it is consistent with the objectives of the General Plan.

PLANNING COMMISSION ACTION

Condition #3 was added by the Planning Commission.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 34

SENATE DISTRICT 4

NOTICES MAILED 255 by City Clerk

APPROVALS 0

PROTESTS 0